

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Andy S. Lancos Jr.
Carol A. Lancos
Debtor(s)

Bankruptcy Case No.: 19-20773-GLT
Issued per 9/12/2019 Proceeding
Chapter: 13
Docket No.: 42 - 20
Concil. Conf.: September 12, 2019 at 02:00 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated March 28, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☒ B. The length of the Plan is increased to a total of 55 months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Sep. 12, 2019 at 02:00 PM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Claim No. 7 of IRS and Claim No. 15 of Lakeview Loan Servicing .
- ☒ H. Additional Terms: The secured claim(s) of the following creditors shall govern as to claim amount based on face amount of claim to be paid at the modified plan interest in a monthly amount to be determined by Trustee to pay in full: Claim No. 6 of Lendmark Financial.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: September 16, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Andy S. Lancos, Jr.
 Carol A. Lancos
 Debtors

Case No. 19-20773-GLT
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dbas
 Form ID: 149

Page 1 of 2
 Total Noticed: 48

Date Rcvd: Sep 16, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 18, 2019.
 db/jdb

+Andy S. Lancos, Jr., Carol A. Lancos, P.O. Box 45, 109 Christy Drive,
 Monaca, PA 15061-2526
 15002824 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bank Of America, Attn: Bankruptcy, Po Box 982238,
 El Paso, TX 79998)
 15002828 +Chase Card Services, Attn: Bankruptcy, Po Box 15298, Wilmington, DE 19850-5298
 15002827 +Chase Card Services, Attn: Correspondence/Bankruptcy, Po Box 15298,
 Wilmington, DE 19850-5298
 15002829 +Citi/Sears, Citibank/Centralized Bankruptcy, Po Box 790034, St Louis, MO 63179-0034
 15002830 +Citibank/Best Buy, Attn: Recovery/Centralized Bankruptcy, Po Box 790034,
 St Louis, MO 63179-0034
 15002832 Clearview Federal Cu, 1453 Beers School, Coraopolis, PA 15108
 15002835 +Duquesne Light, P.O. Box 67, Pittsburgh, PA 15267-0067
 15031255 Educational Credit Management Corporation, P.O. Box 16408, St. Paul, MN 551160408
 15002837 +FedLoan Servicing, Attn: Bankruptcy, Po Box 69184, Harrisburg, PA 17106-9184
 15002838 +Global Payments, Po Box 66118, Chicago, IL 60666-0097
 15002839 +Hsbc/boscv, Capital One Attn: Bankruptcy Dept., Po Box 30258,
 Sault Lake City, UT 84130-0258
 15002842 +KLM Law Group, PC, Suite 5000 - BNY Independence Center, 701 Market Street,
 Philadelphia, PA 19106-1538
 15002843 +Lakeview Loan Servicing, LLC, 4425 Ponce DeLeon Blvd., Mail Stop Ms/251,
 Coral Cables, FL 33146-1837
 15002844 +Lendmark Financial Services, 1735 North Brown Road, Suite 300,
 Lawrenceville, GA 30043-8228
 15002847 +Northwest Consumer Discount, 342 Main Street, Wampum, PA 16157-4311
 15002848 Peoples Gas, PO Box 644760, Pittsburgh, PA 15264-4760
 15016173 +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Avenue,
 Pittsburgh, PA 15233-1828
 15002855 +Target, Attn: Bankruptcy, Po Box 9475, Minneapolis, MN 55440-9475

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Sep 17 2019 04:13:55
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 cr +E-mail/Text: bankrupt-adjdept@wesbanco.com Sep 17 2019 03:53:36 Wesbanco Bank Inc,
 1 Bank Plaza, Wheeling, WV 26003-3565
 15002825 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Sep 17 2019 04:00:42 Capital One,
 Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
 15002826 +E-mail/PDF: AIS.COAF.EBN@Americaninfosource.com Sep 17 2019 03:59:00
 Capital One Auto Finance, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
 15013666 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Sep 17 2019 03:58:53
 Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083,
 Charlotte, NC 28272-1083
 15002831 +E-mail/Text: bankruptcy@clearviewfcu.org Sep 17 2019 03:53:05 Clearview Cu,
 Attn: Bankruptcy, 8805 University Blvd, Moon Township, PA 15108-4212
 15002833 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Sep 17 2019 03:52:35 ComenityCapital/Boscv,
 Attn: Bankruptcy Dept, Po Box 182125, Columbus, OH 43218-2125
 15002834 +E-mail/PDF: creditonebknofications@resurgent.com Sep 17 2019 03:59:47 Credit One Bank,
 Attn: Bankruptcy Department, Po Box 98873, Las Vegas, NV 89193-8873
 15044939 +E-mail/Text: kborkley@bernsteinlaw.com Sep 17 2019 03:53:52 Duquesne Light Company,
 c/o Bernstein-Borkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,
 Pittsburgh, PA 15219-1945
 15002836 +E-mail/Text: bankrupt-adjdept@wesbanco.com Sep 17 2019 03:53:36 Esb Bank F.s.b.,
 600 Lawrence Ave, Ellwood City, PA 16117-1930
 15002840 +E-mail/Text: bankruptcy@huntington.com Sep 17 2019 03:53:02 Huntington Natl Bk,
 Attn: Bankruptcy, Po Box 340996, Columbus, OH 43234-0996
 15002841 E-mail/Text: cio.bncmail@irs.gov Sep 17 2019 03:52:25 Internal Revenue Service,
 Federal Payment Levy Program, Stop 5050, Annex 5, PO Box 219236,
 Kansas City, MO 64121-9236
 15022285 E-mail/Text: ktramble@lendmarkfinancial.com Sep 17 2019 03:52:09
 Lendmark Financial Services, LLC, 2118 Usher Street, Covington, Ga. 30014
 15009611 E-mail/PDF: resurgentbknofications@resurgent.com Sep 17 2019 03:59:58 LVNV Funding, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 15002845 +E-mail/PDF: resurgentbknofications@resurgent.com Sep 17 2019 03:59:07
 LVNV Funding/Resurgent Capital, Attn: Bankruptcy, Po Box 10497,
 Greenville, SC 29603-0497
 15021373 E-mail/PDF: resurgentbknofications@resurgent.com Sep 17 2019 03:59:06
 LVNV Funding/Resurgent Capital, PO Box 10587, Greenville, NC 29603-0587
 15002846 E-mail/Text: camanagement@mtb.com Sep 17 2019 03:52:29 M & T Bank, Attn: Bankruptcy,
 Po Box 844, Buffalo, NY 14240
 15049685 E-mail/Text: camanagement@mtb.com Sep 17 2019 03:52:29 M&T Bank, P.O. Box 0840,
 Buffalo, NY 14240-0840
 15002850 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Sep 17 2019 04:00:46
 Portfolio Recovery, P.O. Box 12914, Norfolk, VA 23541

District/off: 0315-2

User: dbas
Form ID: 149

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Total Noticed: 48

Date Rcvd: Sep 16, 2019

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

15049581 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Sep 17 2019 04:00:48
Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15002849 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Sep 17 2019 04:00:48
Portfolio Recovery, Po Box 41021, Norfolk, VA 23541-1021
15045093 E-mail/Text: bnc-quantum@quantum3group.com Sep 17 2019 03:52:43
Quantum3 Group LLC as agent for, Comenity Capital Bank, PO Box 788,
Kirkland, WA 98083-0788
15002851 E-mail/PDF: cbp@onemainfinancial.com Sep 17 2019 04:00:36 Springleaf Financial S,
Po Box 196, Monaca, PA 15061
15003579 +E-mail/PDF: gecsed@recoverycorp.com Sep 17 2019 03:58:50 Synchrony Bank,
c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15002852 +E-mail/PDF: gecsed@recoverycorp.com Sep 17 2019 03:59:36 Synchrony Bank/Lowes,
Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15002853 +E-mail/PDF: gecsed@recoverycorp.com Sep 17 2019 03:58:50 Synchrony Bank/Sams,
Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15002854 +E-mail/PDF: gecsed@recoverycorp.com Sep 17 2019 03:59:38 Synchrony Bank/Sams Club,
Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
15002856 +E-mail/Text: bankrupt-adjdept@wesbanco.com Sep 17 2019 03:53:36 Wesbanco Bank Inc.,
1 Bank Plz, Wheeling, WV 26003-3565
15002857 +E-mail/Text: ebankruptcy@woodforest.com Sep 17 2019 03:53:36 Woodforest National Bank,
Attn: Bankruptcy, Po Box 7889, The Woodlands, TX 77387-7889

TOTAL: 29

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****
cr M&T Bank as servicer for Lakeview Loan Servicing,
cr* +Duquesne Light Company, c/o Bernstein-Burkley, P.C.,
707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
cr* +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,
Pittsburgh, PA 15233-1828

TOTALS: 1, * 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 18, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 16, 2019 at the address(es) listed below:

Andrew R. Thalman on behalf of Creditor Wesbanco Bank Inc andrewthalman@pgka.com
James Warmbrodt on behalf of Creditor M&T Bank as servicer for Lakeview Loan Servicing, LLC
bkgroup@kmlawgroup.com
John L. Walker, Jr. on behalf of Debtor Andy S. Lancos, Jr. jwalker@marwlaw.com,
karen.w@marwlaw.com
John L. Walker, Jr. on behalf of Joint Debtor Carol A. Lancos jwalker@marwlaw.com,
karen.w@marwlaw.com
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com
Office of the United States Trustee ustregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
srk@sjwpgh.com; PNGbankruptcy@peoples-gas.com

TOTAL: 8